

§ 3030.21 Investigator.

The Commission may appoint an investigator to examine issues raised by the complaint and responses thereto. The investigator will use appropriate due diligence under the circumstances and provide a public, written report to the Commission.

Subpart D—Proceedings**§ 3030.30 Beginning proceedings on complaints.**

(a) Within 90 days after receiving a properly filed complaint under this part, the Commission will issue:

(1) A notice and order in accordance with § 3001.17 of this chapter that finds the complaint raises one or more material issues of fact or law and begin proceedings on the complaint; or

(2) An order dismissing the complaint.

(b) Orders issued pursuant to paragraph (a) of this section shall include the Commission's written statement setting forth the bases of its determination.

(c) Contemporaneously with, or shortly after issuing a notice and order under paragraph (a)(1) of this section, the Commission will appoint a public representative to represent the interests of the general public in the complaint proceeding.

Subpart E—Settlement**§ 3030.40 Policy on settlement.**

It shall be the general policy and practice of the Commission to encourage alternative dispute resolution and settlement of complaints by informal procedures, such as correspondence, conferences between the parties, and the conduct of proceedings off the record with the consent of the parties.

§ 3030.41 Satisfaction.

(a) If a complaint is resolved informally, in whole or in part, subsequent to Commission action under § 3030.30(a)(1), the complainant must promptly file:

(1) A statement explaining the resolution; and

(2) A motion to dismiss or amend the complaint based on the resolution.

(b) The Commission may order the submission of additional information before acting on any motion filed under paragraph (a)(2) of this section.

(c) In determining whether to allow the complaint to be dismissed or amended under this section, the Commission will take into consideration whether the issues raised by the complaint may continue to impact a significant segment of the mailing community.

Subpart F—Commission Determinations and Relief**§ 3030.50 Remedies.**

(a) If the Commission finds that a complaint is justified, it will order that the Postal Service take such action as the Commission determines appropriate to:

(1) Achieve compliance with the applicable requirements; and

(2) Remedy the effects of any non-compliance.

(b) If the Commission finds deliberate non-compliance on the part of the Postal Service, the Commission may order, based on the nature, circumstances, extent, and seriousness of the non-compliance, a fine for each incidence of non-compliance.

(c) In any case where the Commission is considering the extraordinary relief described in paragraph (b) of this section, the Commission will provide notice to the participants that such relief is being considered. It will allow the participants a reasonable opportunity to comment and present aggravating and mitigating factors for its consideration.

PART 3031—RULES FOR RATE OR SERVICE INQUIRIES**Subpart A—Rate or Service Inquiry Forms and Procedures**

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3031.10 Rate or service inquiry contents.

3031.11 Rate or service inquiry procedures.

3031.12 Treatment as a complaint.

Subpart B [Reserved]

AUTHORITY: 39 U.S.C. 503, 3662.

§ 3031.10

SOURCE: 74 FR 16746, Apr. 10, 2009, unless otherwise noted.

Subpart A—Rate or Service Inquiry Forms and Procedures

§ 3031.10 Rate or service inquiry contents.

(a) A rate or service inquiry shall be in writing and should contain:

- (1) The name, address, and telephone number of the inquiring party;
- (2) Details regarding the Postal Service's action or inaction;
- (3) A statement of facts supporting the inquiring party's allegations; and
- (4) The specific relief being sought, if any.

(b) The Commission may waive any of the requirements listed in paragraph (a) of this section to serve the interests of justice.

§ 3031.11 Rate or service inquiry procedures.

(a) The Commission will forward rate or service inquiries to the Postal Service for investigation. The Postal Service will, within 45 days of receipt of such inquiry, advise the Commission in writing, with a copy to the inquiring party, of its resolution of the inquiry or its refusal or inability to do so.

(b) The Commission will monitor all rate or service inquiries to determine if Commission action under § 3031.12 is appropriate.

(c) Where there are clear indications from the Postal Service's report or from other communications between the parties that the inquiry has been resolved, the Commission may, in its discretion, consider such proceeding to be resolved, without response to the inquiring party.

§ 3031.12 Treatment as a complaint.

If the Commission receives a volume of rate or service inquiries on the same or similar issue such that there may be cause to warrant treatment as a complaint, it may appoint an investigator to review the matter under § 3030.21 of this chapter or appoint a public representative representing the interests of the general public to pursue the matter.

Subpart B [Reserved]

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PART 3050—PERIODIC REPORTING

Sec.

- 3050.1 Definitions applicable to this part.
- 3050.2 Documentation of periodic reports.
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- 3050.10 Analytical principles to be applied in the Postal Service's annual periodic reports to the Commission.
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- 3050.13 Additional documentation required in the Postal Service's section 3652 report.
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- 3050.20 Compliance and other analyses in the Postal Service's section 3652 report.
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- 3050.22 Documentation supporting attributable cost estimates in the Postal Service's section 3652 report.
- 3050.23 Documentation supporting incremental cost estimates in the Postal Service's section 3652 report.
- 3050.24 Documentation supporting estimates of costs avoided by worksharing and other mail characteristics in the Postal Service's section 3652 report.
- 3050.25 Volume and revenue data.
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- 3050.27 Workers' Compensation Report.
- 3050.28 Monthly and pay period reports.
- 3050.30 Information needed to estimate the cost of the universal service obligation. [Reserved]
- 3050.35 Financial reports.
- 3050.40 Additional financial reporting.
- 3050.41 Treatment of additional financial reports.
- 3050.42 Proceedings to improve the quality of financial data.
- 3050.43 Information on program performance.
- 3050.60 Miscellaneous reports and documents.

AUTHORITY: 39 U.S.C. 503, 3651, 3652, 3653.

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